

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Ava Wanliss,

Plaintiff,

v.

Continental Tire North America, Inc.,

Defendant.

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CIVIL ACTION NO.
1:09-cv-01853-JOF

OPINION & ORDER

This matter is before the court on Plaintiff's first motion for extension of time to complete discovery [23] and the parties' joint motion to stay case [24].

Plaintiff, Ava Wanliss, as surviving parent and administratrix for the Estate of Steven Campbell, filed suit against Defendant, Continental Tire North America, Inc., on May 21, 2009, in the State Court of Fulton County. Defendant removed the suit to this court on July 9, 2009. Steven Campbell was a passenger in a car involved in a single car accident on June 3, 2007. Steven Campbell died as a result of the accident. Also involved in the accident were the driver and four other passengers not including Steven Campbell. Plaintiff alleges that the accident was caused by defects in the car's tires.

The parties have engaged in discovery and Plaintiff requested an extension of time for discovery. Shortly thereafter, the parties jointly requested a stay for 60 days because Plaintiff's counsel had recently been retained by the four other passengers injured in the accident. The parties ask for the stay to allow Plaintiff's counsel time to file the four related claims and a motion to consolidate.

The court DIRECTS Plaintiff within thirty (30) days from the date of this order to file claims for the additional four passengers and file a motion to consolidate.

General discovery in this matter will end on September 1, 2010. Expert discovery will end on November 1, 2010.

Plaintiff's motion for an extension of time indicated that there might be some difficulties between the parties on certain discovery matters. The court is available to hold a scheduling conference if Plaintiff believes it is still necessary in light of the changed circumstances noted above and Defendant's response to Plaintiff's motion for an extension of time.

The court GRANTS IN PART AND DENIES IN PART Plaintiff's first motion for extension of time to complete discovery [23] and GRANTS IN PART AND DENIES IN PART the parties' joint motion to stay case [24].

IT IS SO ORDERED this 6th day of April 2010.

/s/ J. Owen Forrester

J. OWEN FORRESTER
SENIOR UNITED STATES DISTRICT JUDGE